# Interim Competency Test for Access to BR FISA Data

1. **Who can make a RAS determination?**

   *The FISA Court*

2. **Who is authorized to query a selector within the BR data**

   *HMCs*

3. **Who can query the BRF data using the [redacted] database?**

   *HMCs*

4. **If you suspect that the software tools or protection mechanisms in place to regulate access to BR FISA data are not functioning properly, what actions do you take and when?**

   *Cease use of the software tools against the BR FISA data immediately. Report the suspicious software to S2I4 leadership and SV4 as soon as possible.*

5. **Are analysts allowed to query the BR FISA data for different [redacted] of a RAS-approved number?** [redacted] *in this context refers to additional* [redacted] *Current legal guidance states that each identifier must be approved by the FISC individually. Current legal guidance states that each identifier must be approved by the FISC individually.*

   *No. Until further notice, any* [redacted] *must be included in the RAS approval justification and approved by the FISA Court before being entered into the Station Table as RAS approved. The EAR protection feature should not allow an analyst to query any variations not already entered as approved.*

6. **If an analyst has a RAS-approved [redacted] will he or she also be able to query on non-approved [redacted] in the BR FISA data if they are known to be associated with the approved selector?**

   *No. If the approved selector has other metadata identifiers associated with it, each distinct identifier must be individually approved by the FISA Court for RAS approval. The EAR software will prevent any non-approved selectors from being queried.*

7. **If you have new information and are certain that a selector on the RAS-approved station table no longer meets the RAS standard, what action do you take?**

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Dated: 20070108
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*Cease querying on the selector immediately. Contact an HMC and ascertain whether other existing information could support RAS. Request that one of the three authorized senior analysts change the RAS status of the selector on the Station Table and contact SV4.*

8. **How are activities protected under the First Amendment of the U.S. Constitution considered for RAS determination?** [Ref. FISA Primary Court Order, docket BR 09-01]

   *Any activities that U.S. persons undertake that are protected by the First Amendment of the U.S. Constitution can <u>not</u> be the sole basis for RAS determination.*

9. **What does RAS mean?** [Ref. FISA Primary Court Order, docket BR 09-01]

   *The Reasonable Articulable Suspicion standard is met when, based on the factual and practical considerations of everyday life on which reasonable and prudent persons act, there are facts giving rise to a reasonable artuculable suspicion that the telephone identifier is associated with* [redacted]

   *provided, however, that any telephone believed to be used by a U.S. person shall not be regarded as associated with* [redacted] *solely on the basis of activities that are protected by the First Amendment to the Constitution.*

10. **How does one get RAS approval for a selector?** [Business Records FISA Standard Operating Procedures, March, 2009]; [Ref. FISA Primary Court Order, docket BR 09-01]

    *The FISA Court is currently the only authority that can grant RAS approval for any selector.*

11. **What is the EAR and what does it do?**

    *The EAR is the Emphatic Access Restriction software that prevents a query from accessing the BR FISA repository unless the query is marked as RAS-approved within the Station Table.*

12. **Can you chain in** [redacted] **data?**

    *No.* Technical actions were taken to separate this data in the previous [redacted] repository.

13. **Analysts working with BRFISA data have limits on the amount of hops they can chain out on RAS approved selectors. What is the limit imposed by the Court Order and the limit under current S2I policy?**

*Three and Two respectively*